



JFW

Docket No.: CHNT-0015PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of :
Arthur M. BROWN, Eckhard FICKER and : Group Art Unit: 1645
Barbara A. WIBLE :
Serial No.: 10/804,214 : Examiner: Unassigned
Filed: March 19, 2004 : Customer No.: 34610
For: HIGH THROUGHPUT ASSAY SYSTEMS AND METHODS FOR IDENTIFYING
AGENTS THAT ALTER EXPRESSION OF CELLULAR PROTEINS

INFORMATION DISCLOSURE STATEMENT

U.S. Patent and Trademark Office
220 20th Street S.
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202

Sir:

Pursuant to 37 C.F.R. 1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO-1449. One copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the indicated date. Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered. This statement should not be construed as a representation that a search has been made, that information cited in the statement is considered to be and/or is material to patentability, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that was cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. §120. 1138 OG 37, 38 (May 19, 1992).

1. This Information Disclosure Statement is being filed (i) within three months of the U.S. filing date of a U.S. application other than a CPA continued prosecution application under §1.53(d) OR (ii) within three months of the date of entry of the national stage as set forth in §1.491 in an international application OR (iii) before the mailing date of a first Office Action on the merits. No certification or fee is required. 37 C.F.R. §1.97(b).

2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection OR Notice of Allowance OR an action that otherwise closes prosecution in the application. 37 C.F.R. §1.97(c).

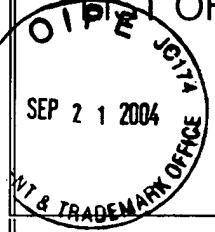
- a. I hereby state that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(1).
- b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(2).
- c. Attached is our check no. _____ in the amount of \$180.00 in payment of the fee under 37 C.F.R. 1.17(p). Please credit or debit Deposit Account No. 16-0607 as needed to ensure consideration of the disclosed information. Two duplicate copies of this paper are attached.
- 3. This Information Disclosure Statement is being filed after the mailing date of a Final Rejection OR Notice of Allowance OR an action that otherwise closes prosecution in the application, but on or before payment of the Issue Fee. Attached is our check no. _____ in the amount of \$180.00 in payment of the fee under 37 C.F.R. 1.17(p). Please credit or debit Deposit Account No. 16-0607 as needed to ensure consideration of the disclosed information. Two duplicate copies of this paper are attached. 37 C.F.R. §1.97(d).
- a. I hereby state that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(1).
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- 4. Others:
- X 5. To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

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Respectfully submitted,
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Please direct all correspondence to Customer Number 34610

 <p>LIST OF PRIOR ART CITED BY APPLICANT (PTO-1449)</p>	ATTY. DOCKET NO. CHNT-0015	APPLN. SERIAL NO. 10/804,214
	APPLICANT(S) Arthur M. Brown, Eckhard FICKER and Barbara A. WIBLE	
	CUSTOMER NO. 34610	
	FILING DATE March 19, 2004	GROUP 1645

U.S. PATENT DOCUMENTS

EXAMINER'S INITIALS	*PATENT NO.	*ISSUE DATE	*INVENTOR NAME	CLASS	SUBCLASS	FILING DATE
	6,632,924	10/14/03	Bogan et al.	530	350	06/28/01
	6,303,373	10/16/01	Bogan et al.	435	325	06/09/00
	6,187,802	02/13/01	Cheetham et al.	514	370	03/09/98
	4,874,765	10/17/89	Lapis et al.	514	255	04/22/87
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	4,202,896	05/13/80	Gootjes	424	250	05/13/80

U.S. PATENT APPLICATION PUBLICATIONS

	*PATENT APPLN. PUB. NO.	*PUB. DATE	*APPLICANT	CLASS	SUBCLASS	

U.S. PATENT APPLICATIONS

	*APPLN. NO.	*FILING DATE	*INVENTOR	CLASS	SUBCLASS	

FOREIGN PATENT DOCUMENTS

EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						Yes	No
	WO 91/01732	02/21/91	WIPO				
	WO 98/18368	05/07/98	WIPO				
	0 243 903 B1	04/28/87	EPO			ABST	

OTHER ART (Including Author, Title, Date, Pertinent Pages, Publisher, Place of Publication, Etc.)

	Maginn et al., "Protective Effects of Vanoxeamine (GBR 12909) Against Ischemia-Induced Hyperactivity and Neurodegeneration in the Gerbil Model of Cerebral Ischemia", Abstract, Pharmacology, Biochemistry and Behavior, 1997, 56(4), pp. 727-735.
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EXAMINER	DATE CONSIDERED

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OTHER ART (Including Author, Title, Date, Pertinent Pages, Publisher, Place of Publication, Etc.)		
Ficker et al, "The Binding Site for Channel Blockers that Rescue Misprocessed Human Long QT Syndrome Type 2 Ether-A-Gogo-Related Gene (HERG) Mutations," abstract, Journal of Biological Chemistry, 2002, 277(7), pp. 4989-4998.		
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EXAMINER	DATE CONSIDERED	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.